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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

NORTHWEST ENVIRONMENTAL  
ADVOCATES, a non-profit corporation,

Civil No: 05-1876-HA

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, a United States  
Government Agency, NATIONAL MARINE  
FISHERIES SERVICE, a part of the National  
Oceanic and Atmospheric Administration, a part of  
the United States Department of Commerce, and  
UNITED STATES FISH AND WILDLIFE  
SERVICE, a part of the United States Department  
of the Interior,

**MEMORANDUM IN SUPPORT OF  
JOINT MOTION FOR EXTENSION  
OF DEADLINE TO FILE JOINT  
STATUS REPORT**

Defendants, and  
THE STATE OF OREGON, and NORTHWEST  
PULP AND PAPER ASSOCIATION

Intervenor-Defendants.

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MEMORANDUM IN SUPPORT OF JOINT MOTION FOR  
EXTENSION OF DEADLINE TO FILE JOINT STATUS REPORT

On August 9, 2010, Federal Defendants filed a Motion for Voluntary Remand, with the briefing concluding on August 23, 2010. On August 31, 2010, the Court entered an Order that required the parties to file a Joint Status Report by September 15, 2010 regarding whether they can agree on conditions of a court-ordered remand. See Doc. No. 233. Plaintiff and Federal Defendants (together “Parties”) began conferring shortly after receiving the Court’s Order. The Court granted Parties’ motion to extend the time to file the Joint Motion to September 24, 2010. See Doc. No. 236. Plaintiff, Federal Defendants, and Intervenor-Defendants the State of Oregon and Northwest Pulp and Paper Association are currently involved in active discussions. During a September 10, 2010, conference call, Plaintiff presented Federal Defendants with a proposed framework for a conditional remand of the biological opinions. During a September 21, 2010, conference call, Federal Defendants responded to Plaintiff’s proposed framework. On September 24, 2010, Plaintiff sent Federal Defendants a letter memorializing the Parties’ prior communications and responding to Federal Defendants’ September 21st positions. Despite the active discussions between the Parties, they require additional time to continue those discussions. Accordingly, an extension of the September 24, 2010 deadline to October 8, 2010 is in the interest of the Parties and the Court so that additional time can be spent on determining whether an agreement can be reached.

For these reasons, Plaintiff and Federal Defendants respectfully request that the Court grant the Joint Motion for Extension of Time to File Joint Status Report (“Joint Motion”). Intervenor-Defendants do not oppose the Joint Motion.

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MEMORANDUM IN SUPPORT OF JOINT MOTION FOR  
EXTENSION OF DEADLINE TO FILE JOINT STATUS REPORT

Dated this 24<sup>th</sup> day of September, 2010.

Respectfully submitted,

/s/ Allison LaPlante  
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CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2010, I caused a true copy of the foregoing to be served on each of the following counsel in the manner indicated below:

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